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22 Interim Co-Lead Counsel for Plaintiffs
23 [ADDITIONAL COUNSEL LISTED BELOW]

24 UNITED STATES DISTRICT COURT
25 NORTHERN DISTRICT OF CALIFORNIA

26 MARK OPPERMAN, et al.,
27 Plaintiffs,
28 v.
29 PATH, INC., et al.,
30 Defendants.

Case No. 13-cv-00453-JST

**JOINT STIPULATION AND
~~PROPOSED~~ ORDER TO EXTEND
TIME TO FILE MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION SETTLEMENT**

This motion relates to:
Opperman v. Path, Inc., No. 13-cv-453-JST
Hernandez v. Path, Inc., No. 12-cv-1515-JST
(collectively, the “Related Actions”)

1 **TO THE COURT, ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

2 The parties, through their respective counsel, stipulate and agree as follows:

3 WHEREAS, on Jan. 6, 2017, Plaintiffs and Defendants Foodspotting, Inc.; Foursquare
4 Labs, Inc.; Gowalla, Inc.; Instagram, LLC; Kik Interactive Inc.; Path, Inc.; Twitter, Inc.; and
5 Yelp Inc. (collectively the “Remaining App Developer Defendants”) filed a Notice of
6 Settlement (Dkt. 856);

7 WHEREAS, on Jan. 9, 2017, the Court entered its Order Vacating Briefing Schedule and
8 set a deadline of Feb. 24, 2017 at 5:00 p.m. for the parties to file a motion for preliminary
9 approval (Dkt. 857);

10 WHEREAS, since that time, Plaintiffs and the Remaining App Developer Defendants,
11 through their respective counsel, have been working on a proposed Settlement Agreement to
12 present to the Court memorializing the terms and conditions of their settlement of this matter;

13 WHEREAS, that work is not yet complete, and the Settlement Agreement is not
14 currently in a form to be executed by said parties;

15 WHEREAS, said parties remain committed to that task and are working diligently to
16 complete it;

17 WHEREAS, to accomplish the same, Plaintiffs and the Remaining App Developer
18 Defendants have agreed to extend the deadline to file the Motion for Preliminary Approval of
19 Class Action Settlement to March 17, 2017;

20 WHEREAS, these parties will be prepared to give the Court an update on same at the
21 next case management conference scheduled to deal with the remaining class certification
22 motion against defendant Apple, Inc., on March 8, 2017 at 2:00 p.m.

23 THEREFORE, IT IS HEREBY STIPULATED by and between Plaintiffs and the
24 Remaining App Developer Defendants that the Court continue and reset the deadline to file the
25 Motion for Preliminary Approval of Class Action Settlement to March 17, 2017.
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DATED: Feb. __, 2017

Respectfully submitted,
/s/ David M. Given
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Plaintiffs' Steering Committee

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Dated: February __, 2017

By /s/ Michael H. Page
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Dated: February __, 2017

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Counsel for Defendant Foursquare Labs, Inc.

Dated: February __, 2017

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1 Dated: February __, 2017

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6 Counsel for Defendant Path, Inc.

8 Dated: February __, 2017

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13 Counsel for Defendant Twitter, Inc.

14 Dated: February __, 2017

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19 Counsel for Defendant Gowalla, Inc.

22 **ATTESTATION**

23 I, David M. Given, am the ECF user whose identification and password is being used to
24 file the instant document. Pursuant to Civil Local Rule 5-1(i)(3), I hereby attest that all counsel
25 whose electronic signatures appear above provided their authority and concurrence to file this
26 document.

25 /s/ David M. Given
26 David M. Given


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~~PROPOSED~~ ORDER

PURSUANT TO STIPULATION, IT IS ORDERED that the Court continue and reset the deadline to file the Motion for Preliminary Approval of Class Action Settlement to March 17, 2017.

SO ORDERED.

Dated: February 23, 2017



Hon. Jon S. Tigar
United States District Judge